

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO, WESTERN DIVISION

KENT NICELY,)	CASE NO. 3:18-cv-00678
)	
Plaintiff,)	
)	
v.)	
)	
STATE FARM MUTUAL AUTOMOBILE)	
INSURANCE COMPANY,)	
)	
Defendant.)	

NOTICE OF REMOVAL

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO, WESTERN DIVISION

1. On February 8, 2018, an action was filed against Defendant, State Farm Mutual Automobile Insurance Company, in the Common Pleas Court of the State of Ohio, in and for Henry County entitled *Kent Nicely v. State Farm Mutual Automobile Insurance Company*, Case No. 18CV0025, and said action was commenced by service of a copy of the Complaint and Summons upon Defendant on February 22, 2018, a copy of which is attached as Exhibits A and B. The Answer of Defendant State Farm Mutual Automobile Insurance Company was filed on March 22, 2018, a copy of which is attached as Exhibit C. No further proceedings have been had herein.

2. The above described action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one which may be removed to this court by petitioner defendant herein, pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action wherein the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs and is between citizens of different states. The Plaintiff who is suing State Farm, at the time this action was commenced, was and still is a citizen of the State of Ohio; and the Defendant State Farm, at the time this action was commenced, was and still is a corporation incorporated under the

laws of the State of Illinois, with its principal place of business in the State of Illinois and was not and is not a citizen of the State of Ohio wherein this action was brought.

3. Defendant desires to remove this action into this Court as provided in 28 U.S.C. § 1446(b) and does so within the 30-day requirement.

WHEREFORE, Defendant notifies all parties that the above action now pending in the Court of Common Pleas in the State of Ohio in and for Henry County is removed to the United States District Court for the Northern District of Ohio, Western Division.

Respectfully submitted,

GALLAGHER, GAMS, PRYOR
TALLAN & LITTRELL L.L.P.

By: /s/ James R. Gallagher
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Trial Attorney for Defendant
State Farm Mutual Automobile
Insurance Company

CERTIFICATE OF SERVICE

A copy of the Notice of Removal was served by regular U.S. Mail upon Samuel G. Bolotin, Attorney for Plaintiff, at The Bolotin Law Offices, 3232 Executive Parkway, Toledo, Ohio 43606 on this 26th day of March, 2018.

/s/ James R. Gallagher
JAMES R. GALLAGHER (0025658)
Trial Attorney for Defendant
State Farm Mutual Automobile
Insurance Company